

Message Text

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PAGE 01 OTTAWA 04473 01 OF 02 312117Z
ACTION EUR-12

INFO OCT-01 ISO-00 FEA-01 ERDA-05 AID-05 CEA-01
CIAE-00 COME-00 EPG-02 DODE-00 EB-07 FPC-01 H-01
INR-07 INT-05 L-03 NSAE-00 NSC-05 OMB-01 PM-04
OES-07 SP-02 SS-15 STR-04 TRSE-00 ACDA-07 PA-01
PRS-01 EPA-01 CEQ-01 NSCE-00 SSO-00 USIE-00
INRE-00 /100 W

-----312141Z 011308 /73

O 312108Z MAY 77

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC IMMEDIATE 3625

INFO AMCONSUL MONTREAL

ALL OTHER CANADIAN POSTS

LIMITED OFFICIAL USE SECTION 01 OF 02 OTTAWA 04473

E.O. 11652: NA

TAGS: SENV, CA

SUBJECT: BEAUFORT SEA

REF: STATE 56130/1

1. EMBASSY RECEIVED MAY 31 GOC DIPLOMATIC NOTE GWU 433
IN RESPONSE TO EMBASSY NOTE ON SAME SUBJECT PER REFTEL.

2. BEGIN TEXT. THE DEPARTMENT OF EXTERNAL AFFAIRS
PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED
STATES AND HAS THE HONOUR TO REFER TO THE EMBASSY'S NOTE
OF MARCH 15, 1977 CONCERNING CANADIAN DRILLING OPERATIONS
IN THE BEAUFORT SEA.

3. THE DEPARTMENT OF EXTERNAL AFFAIRS WISHES TO INFORM
THE EMBASSY THAT THE GOVERNMENT OF CANADA HAS AUTHORIZED
THE OFFSHORE EXPLORATORY DRILLING PROGRAM IN THE BEAUFORT
SEA TO CONTINUE FOR 3 YEARS (1977-1979 INCLUSIVE), SUBJECT
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PAGE 02 OTTAWA 04473 01 OF 02 312117Z

TO AN ANNUAL REPORT TO THE GOVERNMENT ON THE PREVIOUS
YEAR'S DRILLING OPERATIONS.

4. THE GOVERNMENT OF CANADA HAS TAKEN PARTICULAR NOTE
OF THE VIEWS EXPRESSED IN THE EMBASSY'S NOTE, AND WISHES
TO ASSURE THE UNITED STATES GOVERNMENT THAT ITS VIEWS
WERE FULLY CONSIDERED PRIOR TO THE CANADIAN GOVERNMENT'S

DECISION TO AUTHORIZE FURTHER DRILLING IN THE BEAUFORT SEA. THE GOVERNMENT OF CANADA HAS CAREFULLY REVIEWED ALL ASPECTS OF DRILLING OPERATIONS DURING 1976 AND HAS TAKEN INTO ACCOUNT ALL ELEMENTS OF THIS REVIEW TO DETERMINE THE CONDITIONS TO BE ATTACHED TO DRILLING OPERATIONS IN 1977. AS A RESULT, THE CANADIAN GOVERNMENT IS SATISFIED THAT DRILLING OPERATIONS IN 1977 IN THE BEAUFORT SEA WILL BE CARRIED OUT UNDER CONDITIONS OF SAFETY ADEQUATE TO ENSURE PROTECTION OF THE BEAUFORT SEA ENVIRONMENT.

5. WITH REFERENCE TO THE CONCERN EXPRESSED BY THE UNITED STATES GOVERNMENT OVER THE IMPLEMENTATION BY THE OPERATORS OF THE CANADIAN GOVERNMENT'S REGULATIONS, THE GOVERNMENT OF CANADA CONFIRMS ITS INTENTION TO ENFORCE THESE REGULATIONS STRICTLY. IN THE EMBASSY'S NOTE OF MARCH 15, 1977, THE UNITED STATES GOVERNMENT REQUESTED ASSURANCES THAT A SHUTDOWN OF DRILLING OPERATIONS WOULD BE ORDERED IF CANADIAN GOVERNMENT REGULATIONS PUT IN PLACE FOR THE PROTECTION OF THE ENVIRONMENT ARE VIOLATED. IN THIS RESPECT THE GOVERNMENT OF CANADA WISHES TO INFORM THE UNITED STATES GOVERNMENT THAT THE DRILLING PROGRAM HAS BEEN AUTHORIZED TO CONTINUE SUBJECT TO SUSPENSION OF THE DRILLING OPERATIONS WHERE THE OPERATOR FAILS TO COMPLY WITH THE TECHNICAL AND ENVIRONMENTAL TERMS AND CONDITIONS AND THERE IS A DANGER TO LIFE OR A THREAT TO THE ENVIRONMENT. IN THE CANADIAN GOVERNMENT'S VIEW, CANADIAN REGULATIONS GOVERNING OFFSHORE DRILLING ARE AMONG THE MOST STRICT IN THE WORLD, AND ARE MORE STRINGENT THAN THE CURRENT U.S. REGULATIONS.

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PAGE 03 OTTAWA 04473 01 OF 02 312117Z

6. THE GOVERNMENT OF CANADA HAS CAREFULLY REVIEWED THE LIABILITY AND COMPENSATION ARRANGEMENTS CURRENTLY IN EFFECT TO SATISFY POTENTIAL CLAIMS FOR DAMAGES BY U.S. CLAIMANTS IN THE EVENT OF POLLUTION FROM CANADIAN DRILLING ACTIVITIES. IT HAS CONCLUDED THAT THESE ARRANGEMENTS, AS DESCRIBED IN DETAIL IN THE CANADIAN NOTE OF SEPTEMBER 20, 1976, ARE ADEQUATE, TAKING INTO ACCOUNT ALL RELEVANT CIRCUMSTANCES. IT SHOULD BE NOTED IN THIS REGARD THAT IN THE EVENT OF A BLOW-OUT CREATING SIGNIFICANT DAMAGE, IT IS THE INTENTION OF THE GOVERNMENT OF CANADA TO REQUIRE FROM THE OPERATORS THE EFFECTIVE REPLENISHMENT OF THE FUND AVAILABLE TO U.S. CLAIMANTS BEFORE PERMITTING DRILLING OPERATIONS TO CONTINUE ON THE OTHER WELLS DEFINED IN THE PROGRAM. MOREOVER, THE GOVERNMENT OF CANADA REITERATES ITS WILLINGNESS TO CONSIDER AMENDMENTS TO APPLICABLE CANADIAN LEGISLATION WHEREBY POTENTIAL U.S. CLAIMANTS WOULD HAVE EQUAL ACCESS TO LEGAL REMEDIES AVAILABLE TO RESIDENTS OF CANADA, ON A BASIS OF RECIPROCITY. CONSULTATIONS BETWEEN THE TWO GOVERNMENTS ON SUCH LONG-TERM

ARRANGEMENTS FOR LIABILITY AND COMPENSATION HAVE BEEN
HELD AND ARE EXPECTED TO BE RESUMED SHORTLY.

7. THE CANADIAN GOVERNMENT WISHES TO DRAW TO THE ATTEN-
TION OF THE U.S. GOVERNMENT THE FACT THAT, IN THE SPIRIT
OF COOPERATION WHICH CHARACTERIZES CANADA-UNITED STATES
TRANSBOUNDARY RELATIONS, CANADIAN AUTHORITIES HAVE MADE
PARTICULAR EFFORTS TO ENSURE THAT U.S. AUTHORITIES WERE
PROVIDED WITH ALL RELEVANT INFORMATION RELATING TO 1976
CANADIAN OPERATIONS IN THE BEAUFORT SEA. THE CANADIAN
GOVERNMENT FULLY INTENDS TO CONTINUE TO COOPERATE WITH
THE U.S. GOVERNMENT IN THIS RESPECT. COMPLIMENTARY CLOSE.

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PAGE 01 OTTAWA 04473 02 OF 02 312118Z
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INRE-00 /100 W

-----312142Z 011420 /73

O 312108Z MAY 77
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC IMMEDIATE 3626
INFO AMCONSUL MONTREAL
ALL OTHER CANADIAN POSTS

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END TEXT.

8. ACTION REQUESTED: GOC HAS REQUESTED U.S. CONCURRENCE
IN MAKING NOTE AVAILABLE TO PUBLIC ON AN "IF ASKED" BASIS.
GOC IS BRIEFING PRESS ON BEAUFORT SEA JUNE 1 AND WOULD
APPRECIATE RESPONSE ASAP. ENDERS

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Message Attributes

Automatic Decaptioning: X
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Copy: SINGLE
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Disposition Approved on Date:
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Subject: BEAUFORT SEA
TAGS: SENV, CA
To: STATE
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